

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

|                                   |   |  |
|-----------------------------------|---|--|
| VELMA MCDONALD,                   | ) |  |
|                                   | ) |  |
| Plaintiff,                        | ) |  |
|                                   | ) |  |
| v.                                | ) | <b>CIVIL ACTION NO.: 2:07-cv-34-ID-SRW</b> |
|                                   | ) |  |
| R. JAMES NICHOLSON, in his        | ) |  |
| official capacity as Secretary of | ) |  |
| Veterans Affairs,                 | ) |  |
|                                   | ) |  |
| Defendants.                       | ) |  |

**REPORT OF PARTIES' PLANNING MEETING**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the following attorneys have conferred regarding proposed deadlines in this case and submit the following joint report:

R. Randolph Neeley  
Attorney for Defendant, United States of America

Deborah Hill Biggers  
Attorney for Plaintiff, Velma McDonald

**Pre-Discovery Disclosures** The parties shall exchange the information required by Rule 26(a)(1) within 21 days of the entry of the Court's scheduling order.

**Discovery Plan** The parties jointly propose the following discovery plan:

- (1) All discovery commenced in time to be completed by **January 4, 2008**.
- (2) Maximum of 10 depositions for each party, with a maximum time limit of 7 hours per deposition, unless extended by agreement of the parties. Each party is entitled to a deposition of each designated expert, not to exceed 7 hours per deposition.
- (3) Maximum of 40 Interrogatories by each party, with responses due within thirty (30) days after service.

- (4) Maximum of 20 Requests for Admissions by each party, with responses due thirty (30) days after service.
- (5) Maximum of 25 Requests for Production by each party, with responses due within thirty (30) days after service.
- (6) Supplements under Federal Rule of Civil Procedure 26(e) are due thirty (30) days before the close of discovery.

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**Other Items**

- (1) The parties do not request a conference with the Court before entry of the scheduling Order.
- (2) Reports from retained experts under Federal Rule of Civil Procedure 26(a)(2) are due from the Plaintiff by **December 14, 2008**. Reports from retained experts from the Defendants are due by **January 28, 2008**.
- (3) The parties request a pretrial conference in **May 2008**.
- (4) All potentially dispositive motions should be filed by **February 12, 2008**.
- (5) Any motions to amend the pleadings or to join additional parties should be filed within ninety (90) days of the entry of the Court's scheduling order.
- (6) Settlement and mediation cannot realistically be evaluated until the parties conduct further discovery.
- (7) Final list of trial witnesses and exhibits under Federal Rule of Civil Procedure 26(a)(3) must be served and filed:
  - A. By the Plaintiff: 30 days before trial; and
  - B. By the Defendant: 30 days before trial.
- (8) Objections are to be filed within fifteen (15) days after receipt of final list.
- (9) This case should be ready for the **June 23, 2008** trial term.

(10) This case is expected to last 2-3 days.

I hereby certify that both parties agree that the foregoing be submitted electronically to the Clerk of the Court by Defendant on this 27<sup>th</sup> day of April, 2007.

LEURA G. CANARY  
United States Attorney

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**Attorney for Defendant**